

Matthew C. Smith (State Bar No. 276024)
Santana and Smith Law Firm, P.C.
The Historic Winship Building
500 Second Street
Yuba City, CA 95991
TEL: (530) 822-9500
FAX: (530) 751-7910

Attorney for Defendant
Austreberto Santamaria-Valencia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AUSTREBERTO SANTAMARIA-VALENCIA ,

Defendant.

Case No.: 2:21-CR-0079-TLN

STIPULATION AND ORDER TO EXCLUDE
TIME

Date: May 26, 2022
Time: 9:30 a.m.
Hon. Troy L. Nunley

STIPULATION

1. By previous order, this matter was set for status on May 26, 2022.
2. By this stipulation, defendant. now moves to continue the status conference until July 21, 2022, at 9:30 a.m., and to exclude time between May 26, 2022, and July 21, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a.) The government has produced the discovery associated with this case including, among other things, investigative reports, photographs, and video recordings.
 - b.) Counsel for defendant desires additional time to consult with his client, to review the current charges, to conduct an investigation and research related to the charges, to review

1 discovery for this matter, to discuss potential resolutions with his client, and to prepare pretrial
2 motions.

3 c.) Defense counsel believes that failure to grant the above-requested continuance
4 would deny counsel the reasonable time necessary for effective preparation, taking into account
5 the exercise of due diligence.

6 d.) The government does not object to the continuance.

7 e.) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f.) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of May 26, 2022 to July 21, 2022,
12 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Rule T4]
13 because it results from a continuance granted by the Court at defendant's request on the basis of
14 the Court's findings that the ends of justice served by taking such action outweigh the best
15 interest of the public and the defendant in a speedy trial.

16 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
17 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
18 must commence.

19 IT IS SO STIPULATED.

20 Date: May 19, 2022

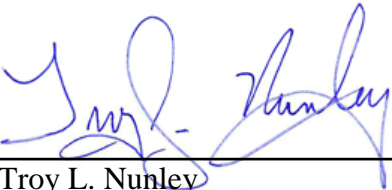
21 /s/ Matthew C. Smith
22 MATTHEW C. SMITH
23 Attorney for Defendant
24 Austreberto Santamaria-Valencia

25 Date: May 19, 2022

26 /s/ James R. Conolly
27 James R. Conolly
28 Assistant United States Attorney

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 24th day of May, 2022.



Troy L. Nunley
United States District Judge